

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

SCOTT NJOS,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No. 3:14-CV-1960

(Judge Kosik)

ORDER

AND NOW, THIS 29th DAY OF SEPTEMBER, 2015, IT APPEARING TO THE COURT THAT:

(1) Plaintiff, Scott Njos, an inmate confined at the United States Penitentiary at Lewisburg, Pennsylvania, filed the instant action against the United States of America and Bureau of Prisons based on the alleged negligent psychological care he is receiving;

(2) On February 17, 2015, Plaintiff filed a Motion for Preliminary Injunction and Temporary Restraining Order (Doc. 14) and supporting documents;

(3) A Brief in Opposition to the Motion (Doc. 22) was filed on March 11, 2015;

(4) On September 2, 2015, Magistrate Judge Martin C. Carlson filed a Report and Recommendation (Doc. 56), wherein he recommended that the Motion for Preliminary Injunction/Motion for Temporary Restraining Order (Doc. 14) be denied;

(5) In reviewing the requirements for preliminary injunctive relief, the Magistrate Judge found that Plaintiff had not made the showing required by Fed. R. Civ. P. 65 to warrant this extraordinary form of relief;

(6) No Objections were filed to the Report and Recommendation;

AND, IT FURTHER APPEARING THAT:

(7) If no objections are filed to a Magistrate Judge's Report and Recommendation, the plaintiff is not statutorily entitled to a *de novo* review of his claims. 28 U.S.C.A. § 636(b)(1)(C); *Thomas v. Arn*, 474 U.S. 140, 150-53 (1985). Nonetheless, the usual practice of the district court is to give "reasoned consideration" to a magistrate judge's report prior to adopting it. *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987);

(8) We have reviewed the Report and Recommendation of the Magistrate Judge and we agree with his conclusions that injunctive relief is not warranted in this case;

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

(1) The Report and Recommendation of Magistrate Judge Martin C. Carlson filed on September 2, 2015 (Doc. 56) is **ADOPTED**; and,

(2) The Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order (Doc. 14) is **DENIED**.

s/Edwin M. Kosik
Edwin M. Kosik
United States District Judge